

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CITY OF ROSEVILLE EMPLOYEES'
RETIREMENT SYSTEM, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

ALIGN TECHNOLOGY, INC., JOSEPH M.
HOGAN and JOHN F. MORICI,

Defendants.

Case No. 3:20-cv-02897-MMC

CLASS ACTION

**[PROPOSED] ORDER GRANTING THE
MOTION OF MACOMB COUNTY
EMPLOYEES' RETIREMENT SYSTEM
FOR APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF ITS
SELECTION OF LEAD COUNSEL**

Date: June 5, 2020

Time: 9:00 a.m.

Courtroom: 7, 19th Floor

Judge: Hon. Maxine M. Chesney

Upon consideration of: (1) the Motion of Macomb County Employees' Retirement System ("Macomb County") for appointment as Lead Plaintiff and approval of its selection of Lead Counsel; (2) the Memorandum of Points and Authorities in support thereof; (3) the Declaration of Peter E. Borkon and its attached exhibits submitted herewith; and (4) all other pleadings and argument submitted to this Court; and for good cause shown,

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED**. Macomb County is **APPOINTED** to serve as Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995, in the above-captioned action and all related actions consolidated in accordance with paragraph four of this Order. Macomb County has fulfilled the PSLRA's procedural requirements, has the largest financial interest in the relief sought by the class, and has made the requisite showing of typicality and adequacy under Rule 23 of the Federal Rules of Civil Procedure. *See Krieger v. Atheros Commc'ns, Inc.*, No 11-CV-00640-LHK, 2011 WL 6153154, at *3 (N.D. Cal. Dec. 12, 2011).

2. Macomb County's selection of Lead Counsel is **APPROVED**, and Bleichmar Fonti & Auld LLP is **APPOINTED** as Lead Counsel for the Class. *See Cohen v. United States Dist. Ct. for N. Dist. of Cal.*, 586 F.3d 703, 712 (9th Cir. 2009).

3. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, any subsequently filed, removed, or transferred actions that are related to the claims asserted in the above-captioned action are **CONSOLIDATED** for all purposes.

4. The action shall be captioned "*In re Align Technology, Inc. Securities Litigation*" and the file shall be maintained under Master File No. 3:20-cv-02897-MMC.

IT IS SO ORDERED.

Dated: _____, 2020

HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE